UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/086,268
Filing Date: March 04, 2002
Appellant(s): CHANG ET AL.

Alan S. Hodes
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 7/7/2008 appealing from the Office action mailed

11/08/2007

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The following are the related appeals, interferences, and judicial proceedings known to

the examiner which may be related to, directly affect or be directly affected by or have a bearing

on the Board's decision in the pending appeal:

There is a related appeal in application no. 10/086,602. (Atty. Docket No.: DKTRP002)

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,337,858	Petty et al.	1-2002
6,584,094	Maroulis et al.	6-2003
5,946,386	Rogers et al.	8-1999

6,463,051   Ford   10-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1.   Claims 1-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Maroulis (USP

6584094) in view of Ford (USP 6463051) and Rogers (USP 5946386).

Regarding claims 1 and 5, Maroulis discloses a communication system comprising a

public switched telephone (PST) (Fig 1, Ref 113)network; an internet protocol (IP) network (Fig

1, Ref 117); a private branch exchange (PBX) (Fig 1, Ref 103) with a telephone (Fig 1, Ref 101)

coupled thereto to route a telephone call over the PST network (Fig 2C, ref 223); and a voice

gateway (Fig 1, Ref 109) coupled to the PBX and to the IP network to route a telephone call over

the IP network(Fig 2C, Ref 227). Maroulis fails to disclose the voice gateway configured to

support a plurality of numbering plans, accepting a number entered via a calling telephone by a

user in accordance with one of a plurality of numbering plans; translating the number into the IP

address of one of the plurality of voice gateways; and routing the telephone call from the calling

telephone to a called telephone and a User CTI control mechanism having a browser interface. In

the same field of endeavor, Ford discloses the voice gateway configured to support a plurality of

numbering plans, accepting a number entered via a calling telephone by a user in accordance

with one of a plurality of numbering plans; translating the number into the IP address of one of

the plurality of voice gateways; and routing the telephone call from the calling telephone to a

called telephone (Fig 2, Ref 54 is a database for translating the telephone number plans such as

international and National numbering plans, See col. 3, lines 47 to col. 4, lines 10; col. 5, lines 10

to col. 6, lines 47 and Table 1 and 2 is the examples for numbering plans). However, Maroulis

and Ford fails to disclose a user CTI control mechanism an interface via which each of a

plurality of particular users can configure a CTI application to logically associate a computer and

a gateway telephone in physical proximity to the computer with the telephonic identity of that

particular user, and including integrating enterprise wide directory information into the operation

of the CTI control mechanism with respect to that particular user, wherein the enterprise wide

directory is a directory of named objects, including users, network devices and network services.

In the same field of endeavor, Rogers discloses a user CTI control mechanism an interface (Fig

1, Ref 110) via which each of a plurality of particular users (Fig 1, Ref 114) can configure a CTI

application to logically associate a computer and a gateway telephone (Fig 1, Ref 101) in

physical proximity to the computer with the telephonic identity of that particular user (Fig 6-9),

and including integrating enterprise directory information (Fig 1, Ref 215) into the operation of

the CTI control mechanism with respect to that particular user, wherein the enterprise directory

is a directory of named objects including users, network devices and network services (Fig 6-9,

Name "User", Fax "device", call forward "service").

   Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention was made to apply a method and system for using a computer for configuring another

computer and accessing the database as disclosed by Roger into the teaching of Ford which

teaches a method and system for mapping a plurality of numbering plans with the IP address of

the gateway or mapping dialing pattern with another number into the teaching of Maroulis which

suggests a routing table of a gateway must be use to map the telephone number with IP address

of the destination gateway. The motivation would have been to reduce the long distance cost.

Regarding claim 3, Ford discloses an enterprise wide directory information coupled to the voice gateway, and wherein the voice gateway is configured to access the enterprise wide directory and to control the telephone to support the plurality of numbering plans (Fig 2, Ref 54).

Regarding claim 4, Ford discloses the plurality of numbering plans supported includes at least one numbering plan from a group consisting of: a uniform numbering plan (UNP); an enterprise numbering plan (ENP); a PSTN numbering plan; and a direct trunk group access code (Col. 7 and 8, Tables 1-2).

Regarding claim 6, Ford discloses a gateway database coupled to the plurality of voice gateways, the gateway database having the IP addresses of the plurality of voice gateways stored therein, and wherein the step of translating the number comprises steps of accessing the gateway database with one of the plurality of voice gateway and associating the number with an IP address in the gateway database. (Fig 2, Ref 54 and See col. 7, table 1 is used to translating dialed number to a destination gateway and associating a number with IP address).

Regarding claim 7, Ford discloses the step of associating the number with an IP address comprises the step of manipulating a digit of the number (Col. 6, lines 37-47 and Col. 7-8, tables 1-2).

Regarding claim 8, Ford discloses translating the number includes the step of translating a number from at least one numbering plan from a group consisting of: a uniform numbering plan (UNP); an enterprise numbering plan (ENP); and a PSTN numbering plan; and a direct trunk group access code (Col. 7 and 8, Tables 1-2).

Regarding claim 9, Ford discloses the step of routing the telephone call comprises the step of controlling the plurality of voice gateways to route the telephone call from a first voice

gateway over the IP network to a second voice gateway (Col. 6, lines 1-24 and Col. 7, lines 14 to col. 8, lines 54).

Regarding claims 2 and 10-11, Marouslis and Ford fail to disclose the voice gateway is coupled to the PBX via a call status-call control link to control operation of the telephone. However, Ford discloses gateway control the PBX to route incoming call to called telephone over PSTN (Col. 8, lines 33-54) and Rogers discloses a call status and control link between the PBX and gateway for control operation of the telephone and routing the incoming call at the second gateway to the telephone at local PBX or over PSTN (Fig 1, Ref 219 is link between the PBX and gateway for controlling and monitoring the operation of the telephone and Col. 39, lines 1-15).

Since, a call status and control link between the gateway and PBX is well known and expected in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention was made to apply a call status and control link between the PBX and gateway as disclosed by Rogers into the teaching of Marouslis and Ford . The motivation would have been to distribute the incoming calls to the PBX.

2.   Claims 12-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Maroulis, Ford and Rogers as applied to claims 1 and 5 above, and further in view of Petty (USP 6337858).

Marouslis, Rogers and Ford fail to disclose the interface is a browser interface which is a browser interface of the computer to be logically associated with the gateway telephone. In the same field of endeavor, Petty discloses the interface is a browser interface, which is a browser interface of the computer to be logically associated with the gateway telephone (Col. 5, line 54-65).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention was made to apply a browser interface being logically associated with a telephone

gateway as disclosed by Petty in the system of Marouslis, Roger and Ford.

(10) Response to Argument

In the appeal brief, the appellant states that Marouslis, Rogers and Ford fail to disclose a

enterprise directory as disclosed in the specification **"The enterprise directory 90 is a**

company-wide general purpose directory or global database of named objects including

users, network devices (e.g. routers, gateways), and network services (e.g. print servers),

etc." by using the information that do not disclose in the specification such as "T. Howes and M.

Smith, LDAP: Programming Directory Enabled Applications with Lightweight Directory Access

Protocol. Macmillan Technology Series, 1997.", USP 6,016,499 and "The SLAPD and SLURPD

Administrator's Guide, University of Michigan, 30 April 1996, Release 3.3.".   In reply, the

examiner disagrees with the applicant because Maroulis discloses a database which contains the

objects including gateways "the internet addresses"; Ford discloses a database which contains the

objects including gateways "the internet addresses" and Rogers discloses a database which

contains a directory of named objects including users, network devices and network services (Fig

6-9, Name "user", Fax "device", call forward "service").   Therefore, the database of the prior arts

disclose the enterprise directory "database" of the claimed invention because the applicant's

arguments are based on information that do not disclose in the specification.

In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies (i.e., the description

of T. Howes and M. Smith, LDAP: Programming Directory Enabled Applications with

Lightweight Directory Access Protocol. Macmillan Technology Series, 1997.", USP 6,016,499

and "The SLAPD and SLURPD Administrator's Guide, University of Michigan, 30 April 1996,

Release 3.3.".) are not recited in the rejected claim(s) or in the specification. Although the

claims are interpreted in light of the specification, limitations from the specification are not read

into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

    Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a

general allegation that the claims define a patentable invention without specifically pointing out

how the language of the claims patentably distinguishes them from the references.

    In response to applicant's arguments against the references individually, one cannot show

nonobviousness by attacking references individually where the rejections are based on

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re*

Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

    In response to applicant's argument that the database of the prior arts does not have a

same structure as the claimed invention by using information that do not disclose in the

specification such as "T. Howes and M. Smith, LDAP: Programming Directory Enabled

Applications with Lightweight Directory Access Protocol. Macmillan Technology Series,

1997.", USP 6,016,499 and "The SLAPD and SLURPD Administrator's Guide, University of

Michigan, 30 April 1996, Release 3.3.".", a recitation of the intended use of the claimed

invention must result in a structural difference between the claimed invention and the prior art in

order to patentably distinguish the claimed invention from the prior art. If the prior art structure

is capable of performing the intended use, then it meets the claim.

Furthermore, the applicant states that Rogers does not disclose a database which uses

with CTI such as "an interface via which each of a plurality of particular users can configure a

CTI application to logically associate a computer and a gateway telephone in physical proximity

to the computer with the telephonic identity of that particular user, wherein the enterprise

directory is a directory of named objects including users, network devices and network services.

In reply, Rogers discloses a user CTI control mechanism an interface (Fig 1, Ref 110) via which

each of a plurality of particular users (Fig 1, Ref 114) can configure a CTI application to

logically associate a computer and a gateway telephone (Fig 1, Ref 101) in physical proximity to

the computer with the telephonic identity of that particular user (Fig 6-9), and including

integrating enterprise directory information (Fig 1, Ref 215) into the operation of the CTI control

mechanism with respect to that particular user, wherein the enterprise directory is a directory of

named objects including users, network devices and network services (Fig 6-9, Name "User",

Fax "device", call forward "service"). **So, Rogers' database is equivalent to the claimed**

enterprise directory "database".

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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